

REMARKS

Claims 37, 39-46, 54-60 and 65-67 are pending in the present application. By virtue of this response, claims 37 and 45 have been amended, claims 66 and 67 have been canceled and new claims 69-82 have been added. Support for the amendments made in claims 37 can be found throughout the specification, for example, at paragraph 71, Example 9, Example 10 and Example 11. Support for new claims 69-82 can be found throughout the specification, for example, at paragraphs 44, 46-49 and the Examples. Accordingly, claims 37, 39-46, 54-60, 65, 69-80 are currently under consideration.

With respect to all amendments and cancelled claims, Applicants have not dedicated or abandoned any unclaimed subject matter and, moreover, have not acquiesced to any rejections and/or objections made by the Office. Applicants expressly reserve the right to pursue prosecution of any presently excluded claim embodiments in future continuation, continuation-in-part, and/or divisional applications.

Claim Rejections – 35 USC § 112 Enablement

Claims 37, 39-46 and 54-60 and 65-67 are rejected under 35 U.S.C. 112, first paragraph, because the specification allegedly does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to practice the invention commensurate in scope with these claims.

Applicants respectfully traverse this rejection. However, for the sake of expediting prosecution, Applicants have amended claim 37 to recite a method for reducing tissue factor levels to treat a tumor exhibiting tissue factor expression.

In view of the foregoing, Applicants submit that the claims are fully enabled and respectfully request that the Examiner withdraw this rejection.

Claim Rejections – 35 USC § 112 Indefiniteness

Claims 37 and 45 are rejected under 35 U.S.C. 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Examiner stated that “a sequence represented by SEQ ID NO: 2 or SEQ ID NO:4” is indefinite and suggested that the Applicant amend the claim to recite “the amino acid sequence of SEQ ID NO: 2 or SEQ ID NO:4.” Accordingly, Applicants have amended claim 37 to recite the language “the amino acid sequence of SEQ ID NO: 2 or SEQ ID NO:4.”

The Examiner also stated that claim 45 is indefinite for the lack of antecedent basis for “the humanized antibody.” Applicants have amended the claim to correct the antecedent basis.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the indefiniteness rejections.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 146392002520. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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